



UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII
OFFICE OF THE CLERK
300 ALA MOANA BLVD., RM C-338
HONOLULU, HAWAII 96850

Sue Beitia
CLERK

TEL (808) 541-1300
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November 26, 2007

Robert R. Maldonado, Jr.
#37601-048
USP Victorville
P O Box 5500
Adelanto CA 92301

RE: 1:02-cr-00341-HG-03 USA v. Maldonado

Dear Mr. Maldonado,

I am writing in response to the above mentioned case. The Clerk's Office is in receipt of your "Request to Verify th Filing of Defendant's Title 28 U.S.C § 2255 Motion to Vacate a Sentence" dated November 15, 2007 enclosed herein.

Your request has been verified. The Clerk's Office is NOT in receipt of your aforementioned "Title 28 U.S.C § 2255 Motion to Vacate a Sentence" placed into the said "prison mail box on or about April 1, 2007".

Enclosed is a copy of your docket sheet including ALL entries starting from 2006 up to and including today, November 26, 2007 for your reference.

If you have any further questions regarding this matter, please contact our office at (808)541-1300.

Sincerely,

SUE BEITIA, CLERK


by: Deputy Clerk

TERMED

**U.S. District Court
District of Hawaii - CM/ECF V3.04 (3/07) (Hawaii)
CRIMINAL DOCKET FOR CASE #: 1:02-cr-00341-HG-3**

Case title: USA v. Minton Date Filed: 08/08/2002
Other court case number: 2:03-mj-02006 0978 Date Terminated:
INTERIN 09/16/2004
Magistrate judge case number: 1:02-mj-00620

Assigned to: JUDGE HELEN
GILLMOR

Defendant

Robert R. Maldonado, Jr. represented by Rustam Barbee
(3)
TERMINATED: 09/16/2004
Law Office of Rustam A.
Barbee
1188 Bishop St Ste 2606
Honolulu, HI 96813
524-4406
Fax: 524-4306
Email:
rustam@honoluluattorney.com
TERMINATED: 09/16/2004
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA
Appointment

Shawn A. Luiz
City Center
810 Richards St Ste 800
Honolulu, HI 96813
538-0500
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA
Appointment

Pending Counts

21 USC 846: DISTRIBUTE AND
POSSESS WITH INTENT TO
DISTRIBUTE METHAMPHETAMINE
AND COCAINE, SCHEDULE II
CONTROLLED SUBSTANCES

Disposition

ADJUDGED: Impr of 200 mos.
SUPERVISED RELEASE: 5 yrs
upon the following
conditions: 1. That the
defendant shall abide by

the standard conditions of supervision. 2. That the defendant not commit any crimes, federal, state, or local (mandatory condition). 3. That the defendant not possess illegal controlled substances (mandatory condition). 4. That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two drug tests thereafter, as directed by the Probation Office (mandatory condition). 5. That the defendant participate in a substance abuse program, which may include drug testing at the discretion and direction of the Probation Office. 6. That the defendant is prohibited from possessing a firearm or ammunition as defined in 18 U.S.C. 921. 7. That the defendant is prohibited from possessing any illegal or dangerous weapons. 8. That the defendant provide the Probation Office access to any requested financial information. 9. The defendant may change his residence only with the advance approval of the Probation Office. 10. That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a

(1s)

condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.

11. That the defendant shall cooperate in the collection of DNA as directed by the probation officer. Special Assessment: \$1 00

RECOMMENDATIONS: Terminal Island, CA, or in the alternative, Lompoc, CA. That the defendant participate in drug treatment, educational and vocational training programs.

Highest Offense Level
(Opening)

Felony

Terminated Counts

21 USC 846: CONSPIRACY TO
DISTRIBUTE AND POSSESS
WITH INTENT TO DISTRIBUTE
METHAMPHETAMINE AND
COCAINE, SCHEDULE II
CONTROLLED SUBSTANCES
(1)

21 USC 841(a)(1) and 18
USC 2: POSSESS WITH INTENT
TO DISTRIBUTE
METHAMPHETAMINE, A
SCHEDULE III CONTROLLED
SUBSTANCE
(3)

21 USC 841(a)(1) and 18
USC 2: POSSESS WITH INTENT
TO DISTRIBUTE
METHAMPHETAMINE, A
SCHEDULE II CONTROLLED
SUBSTANCE
(3s)

Disposition

MOTION TO DISMISS COUNTS 3
and 4 of the SUPERSEDING
INDICTMENT AS TO THIS
DEFENDANT is granted;
counts superseded

MOTION TO DISMISS COUNTS 3
and 4 of the SUPERSEDING
INDICTMENT AS TO THIS
DEFENDANT is granted;
counts superseded

MOTION TO DISMISS COUNTS 3
and 4 of the SUPERSEDING
INDICTMENT AS TO THIS
DEFENDANT is granted.

21 USC 841(a)(1) and 18
USC 2: POSSESS WITH INTENT
TO DISTRIBUTE COCAINE, A
SCHEDULE II CONTROLLED
SUBSTANCE
(4s)

MOTION TO DISMISS COUNTS 3
and 4 of the SUPERSEDING
INDICTMENT AS TO THIS
DEFENDANT is granted.

Highest Offense Level
(Terminated)

Felony

Complaints

None

Disposition

Plaintiff

USA

represented by **Thomas Muehleck**
Office of the United
States Attorney
Prince Kuhio Federal
Building
300 Ala Moana Blvd Ste
6100
Honolulu, HI 96850
541-2850
Email:
tom.muehleck@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/10/2006	•269	JUDGMENT; Memorandum of USCA (certified copy) as to Robert R. Maldonado, Jr re [235] Notice of Appeal - Final Judgment (Attachments: # 1 USCA Transmittal Letter with Service List) (afc) (Entered: 02/15/2006)
02/10/2006	•	COURT'S CERTIFICATE of Service - a copy of 269 USCA Judgment and Memorandum, will be served by First Class Mail to the addresses of record on February 16, 2006. Registered Participants of CM/ECF received the document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). [Judge Gillmor, CRM, USM, PTS, USPO copied via inter-office delivery] (afc) (Entered: 02/15/2006)

05/26/2006	<u>273</u>	Appeal Record Returned by 9CCA as to Robert R. Maldonado, Jr: [235] Notice of Appeal - Final Judgment (afc) (Entered: 05/30/2006)
11/21/2007	<u>276</u>	REQUEST TO VERIFY the Filing of Defendant's Title 28 U.S.C. § 2255 Motion to Vacate a Sentence. (Attachments: # 1 copy of envelope) (bbb,) (Entered: 11/26/2007)